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Attorneys for Defendant and Counter-Plaintiff
FORESCOUT TECHNOLOGIES, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FORTINET, INC.,

Plaintiff and Counter-Defendant,

vs.

FORESCOUT TECHNOLOGIES, INC.,

Defendant and Counter-Plaintiff.

CASE NO. 3:20-CV-03343-EMC

**JOINT STIPULATION AND
~~[PROPOSED]~~ ORDER OF DISMISSAL**

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, the parties hereby jointly stipulate that all claims and counterclaims in this case shall be dismissed as follows:

Fortinet's claims for patent infringement (Dkt. 67, Counts I–V), Forescout's counterclaims for patent infringement (Dkt. 107, Counts VII–XII), and Forescout's counterclaim for tortious interference (Dkt. 107, Count I) shall be dismissed with prejudice.

Forescout's counterclaims for declaratory judgment of invalidity (Dkt. 107, Counts II–VI) and Fortinet's counterclaims for declaratory judgment of invalidity (Dkt. 135, First through Sixth Counterclaims) shall be dismissed without prejudice.

Each party shall bear its own costs, expenses, and fees.

DATED: February 6, 2025

Respectfully Submitted:
FORTINET, INC

By: /s/ John M. Neukom

John M. Neukom
SKADDEN, ARPS, SLATE, MEAGHER & FLOM,
LLP
Attorneys for Plaintiff Fortinet, Inc.

DATED: February 6, 2025

Respectfully Submitted:
FORESCOUT TECHNOLOGIES INC.

By: /s/ Kimball R. Anderson

Kimball R. Anderson
WINSTON & STRAWN LLP
Attorneys for Defendant Forescout Technologies, Inc.

ATTESTATION

I, Kimball R. Anderson, am the ECF user whose identification and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that all signatories hereto concur in this filing.

/s/ Kimball R. Anderson

Kimball R. Anderson

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED**

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3 Date: February 6, 2025

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5 Honorable Edward M. Chen
6 United States District Judge
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